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internal affairs of the several states. The congresses that were held from time to time were objected to by Canning as "congresses for the government of the world." They were concerned not with general questions of international law so much as with the internal status of States. What the well-informed and rational peace advocates of today hope to see established is not a congress for the government of the world, but an international court which will settle those questions which are capable of judicial settlement and whose decisions will form the basis of a body of public international law.

JOHN H. LATANÉ.

"L'État et les Fonctionnaires: Études Economiques et Sociales, Publiées avec le concours du Collège libre des Sciences sociales."

By ALEXANDER LEFAS. (Paris: Giard et Brière, 1913. Pp. lxxix, 397.)

This book is another addition to an already extensive literature dealing with the French civil service and especially with the miserable condition of the functionaries. For many years they have loudly complained of their meager pay, the insecurity of their tenure, and the abuses of favoritism and arbitrariness on the part of their hierarchical superiors in respect to appointments, promotion, and discipline. They demand the enactment of a law which shall guarantee them against these abuses; and to enforce their demands upon the government they have organized themselves into numerous and powerful associations. In some cases they have indeed gone further and formed syndicates (legally a very different kind of organization from the association) and have insisted upon the right to negotiate with the government, to dictate the terms of a contract with it and even to strike, following the practice of syndicates among laborers. By reason of the large membership of these organizations and the somewhat revolutionary and anarchistic character of the syndicates the government has felt obliged to take action for its own protection. Generally, it has recognized the lawfulness of the associations but except in some rare instances, it has forbidden the organization of syndicates and has dissolved those that were formed.

In respect to the matter of salaries, the complaints of the functionaries are well founded and popular sympathy is generally on their side. With a few exceptions their "traitements" are miserably small, the average for the entire body of state employees scarcely exceeding \$500 per year. For many thousands indeed the salary does not exceed \$250 per year,

the scale being substantially what it was fifty years ago. Their small income undoubtedly accounts for the fact that the size of families among functionaries is smaller than that among any other class of the population, the average being one and a half children to the family. While the budget for the civil service has greatly increased in recent years (it now amounts to about \$200,000,000 per year, or substantially one-fifth of the total budget of the State) there has been little or no increase of official salaries. This is explained by the enormous increase of the number of public employees which has entailed so heavy a burden upon the State that no government has felt able to raise their pay although there has been a general desire to do so. Everybody in France admits that the number of employees is excessive and that the remedy is to reduce the number and increase the salaries of those who are left, but this sensible solution has not been adopted. Balzac in his day complained that the number of state employees had attained the figure of 40,000; today the number is in the neighborhood of 1,000,000 or an average of one functionary for every forty persons in the republic. Under an over liberal pension system which permits employees of the State to retire after twenty-five years of service, the number of civil *pensionnaires* has reached 315,000 and the pension budget has risen to \$20,000,000 a year. The remedy, as M. Lefas justly observes, is to reduce these burdens by abolishing a large number of useless offices. This can be done by reforming the whole administrative system and especially by decentralizing the administration and by abandoning the system of administrative *paperasserie* which requires the services of thousands of employees who are occupied in the preparation and copying of useless papers. This done, the State will be in a position to respond to the just demands of the functionaries for more adequate compensation for their services.

Favoritism and arbitrariness in respect to appointments and promotions, says M. Lefas (p. 67), is the *bête noir* of the functionaries. In too many cases young attachés in the ministerial ante chambers are preferred to older and more experienced candidates who have served their time in the departments or who have passed the examinations with credit. In France there is as yet no civil service law such as one finds in England, the United States, Germany, and other countries, which regulates the conditions of appointment and promotion, which classifies the employees and determines their salaries on the basis of such classification and which protects appointees from political influence, favoritism and arbitrariness on the part of the government. All these matters in

France are regulated, so far as they are regulated at all, by ministerial decrees and orders, each minister being free to prescribe such regulations for his own ministry as he pleases. It is true that whenever a decree of this kind has been issued the council of state will compel its observance by annulling all appointments and promotions made in violation thereof, but what one minister can do his successor can undo. It results therefore that each incoming minister issues a new decree embodying his own ideas on the subject, and there have been cases where a new minister suspended the existing decree in order to find places for his own favorites, after which the old decree was reissued. Under such a system there is no uniformity of policy; the functionaries in one department have a status entirely different from those of another department and of course there is no security of tenure. The functionaries as I have said, demand the enactment by Parliament of a law which will protect them against the abuses mentioned and their cry has made itself heard in the country at large. The question of ameliorating their sorry condition was one of the principal issues in the election campaign of 1910 and a majority of the deputies elected had in their *professions de foi* expressed themselves in favor of granting some or all of the demands of the functionaries. Several governments, notably those of Clemenceau in 1906 and Briand in 1910 promised the functionaries such a law but like so many French cabinets they went out of power with their promises unfulfilled.

The whole history of the question: the grievances of the functionaries, their demands, the civil service legislation of other countries, the various *projets* that have been introduced by different cabinets and the reports that have been made thereon by parliamentary commissions, is reviewed in detail in M. Lefas's book. Altogether it is a substantial study of a live and important question of French politics.

JAMES W. GARNER.

The American Doctrine of Judicial Supremacy. By CHARLES GROVE HAINES. (New York: The Macmillan Company, 1914. Pp. xvii, 365.)

Prof. Haines sets out "to present in brief compass the history, scope and results of judicial control over legislation in the United States." His book does not pretend to be based on original investigation, although the author has in some cases contributed new materials, and has in others viewed his problem in a new way.